

David Stebbins (pro se Plaintiff)
123 W. Ridge Ave.,
APT D
Harrison, AR 72601
(870) 212-4947
acerthorn@yahoo.com

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:21-cv-04184-JSW

KARL POLANO, et al

DEFENDANTS

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE AS TO ALPHABET INC., DISCORD INC., AND AMAZON.COM INC.

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following to dismiss Alphabet Inc., Discord Inc., and Amazon.com Inc. without prejudice as defendants in this action, pursuant to Fed.R.Civ.P. 41(a).

1. Alphabet Inc. has indicated that it plans to needlessly delay the entry of judgment in this case, right as I was about to get a default judgment, by raising frivolous challenges to the validity of the copyright to the April 10, 2021 livestream. If they are allowed to do this, this would only result in tedious delays in a case where I was about to get a default judgment otherwise.
2. I contacted counsel for the other two nominal defendants, asking them if they had any intention of litigating the issue. They didn't respond.
3. This is not a surrender. This is a tactical retreat. I wish to have this action dismissed *without prejudice*, so I can re-file the case again, seeking to obtain the prospective injunctive relief under 17 USC § 512(j) in the near future. This is just being done so that Alphabet (and possibly the other nominal defendants) cannot delay this case that is already in the eleventh hour, just out of sheer pettiness. With this dismissal, the case is now ready for default judgment and there's no two ways about it.
4. Since the nominal defendants have not entered their answers yet, the Court is without

discretion to deny this motion.

So notified on this, the 11th day of April, 2022.

/s/ David Stebbins
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acerthorn@yahoo.com